

# State of Delaware Child Protection Accountability Commission Permanency for Adolescents Committee

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FRIDAY, OCTOBER 9, 2015 -- 10:00 AM – 12:00 PM

## **In Attendance:**

The Hon. Peter B. Jones (Co-Chair)  
Dr. Victoria Kelly (Co-Chair)  
Lauren Brueckner, CASA  
Tania Culley, Esq., OCA  
Kelly Ensslin, Esq., OCA  
Felicia Kellum, DSCYF

Kathryn Lunger, Esq., OPD  
Rachael Neff, Family Court  
Amanda Sipple, OCA  
Gwen Stubbolo, CASA  
Donna Thompson, Esq., DAG  
Brittany Willard, CPAC Data Analyst

## **I. WELCOME AND INTRODUCTIONS**

Judge Peter Jones, Co-Chair, welcomed everyone and attendees introduced themselves.

## **II. APPROVAL OF MINUTES**

The minutes from March 27, 2015 were approved.

## **III. COMMITTEE ROLE IN IMPLEMENTATION OF P.L. 113-183**

### **a. Required Judicial Findings for APPLA**

The Co-chairs led discussion on the required judicial findings for APPLA. There has been a Court Improvement Project (CIP) training to the Family Court judicial officers as well as stakeholders on the new federal law. Judge Jones will work to draft a cheat sheet for language required in APPLA orders to ensure title IV-E compliance as well as update the IV-E chart. Jen Kline is working to complete a comprehensive training on the new law for CASA which will be made available online in the future. The Committee will revisit the rules revision at the next meeting.

### **b. Expansion of Other Permanency Options**

The Committee discussed the expansion of other permanency options. A concern that was presented is that the plan will change from APPLA to another plan yet the focus will still not be on finding permanency for the child because the change in plan will not be taken seriously. The Permanency Options Workgroup is tasked with fully developing the other permanency options and implementing training.

### **c. Normalcy/Reasonable and Prudent Parent Standard**

The Committee discussed the normalcy/reasonable and prudent parent standard. Florida was the first to pass the changes. Several webinars have been shared on the topic but they were unhelpful. DFS was not granted an extension on implementing this requirement and as a result they are putting an intermittent policy in place. DFS agreed to share the policy with

# State of Delaware Child Protection Accountability Commission

## Permanency for Adolescents Committee

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the Committee.

The Committee agreed legislation will be necessary to implement this. The legislation must include indemnity for foster parents. OCA and CASA will draft legislation for consideration by the Committee at its next meeting

DFS shared the initial policy changes at the last Youth Advisory Council (YAC) meeting and that the youth were widely pleased with the changes including changes to the policy for overnights at a friend's house.

d. Rights of Youth in DSCYF Custody

The Committee discussed that a cheat sheet and other handouts are being completed and will be shared with the Committee once finalized.

e. Documents for Youth Aging Out

The Committee discussed that DFS Policy already included documents for youth aging out and that only minor changes were necessary to the existing policy.

f. Use of Funds for Post Guardianship and Adoption Support

The Committee discussed that Delaware receives a Federal incentive to provide post guardianship and adoption support although Delaware only receives \$10,013 which is not a substantial funding source. These funds do not meet Delaware's need for support services. Funds are not allowed to supplant any other state or federal funding sources.

#### IV. DELAWARE YOUTH OPPORTUNITIES INITIATIVE TRANSITION PLAN

a. Self-Sufficiency Benchmarks

The Self-Sufficiency Benchmarks are completed and need to be approved. Documents will be distributed for review and approval at the next Committee meeting.

b. Youth Transition Guide

The Youth Transition Guide is completed and needs to be approved. Documents will be distributed for review and approval at the next Committee meeting.

c. Youth Involvement in Court

The Committee discussed the ongoing challenges of youth attending Court. Rachel Neff shared that the court observation surveys are being reviewed and that a summary is being prepared. The summary will be presented at the next Committee meeting.

# State of Delaware Child Protection Accountability Commission

## Permanency for Adolescents Committee

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### d. NCC Mural

The Committee discussed that there are currently \$5000 in funds available and that OCA will be working to raise funding for the additional \$13,000 needed to complete the mural. Felicia Kellum will present YAC with the option to complete another mural and ask YAC members for a time frame to complete the mural.

### e. Sex Education and Pregnancy Prevention

DFS is collaborating with their contract partners to provide training to youth. Presently Planned Parenthood has a training. On Foster Parent Appreciation Day, the Pregnancy and Parenting Training will be provided and recorded. The recording will be available to foster parents who were unable to attend the event. The Committee determined that OCA and DFS should determine what further efforts are needed and make a recommendation for action at the next Committee meeting.

## V. COMMITTEE REPORTS

### a. Extended Jurisdiction

The Committee reviewed the proposed Extended Jurisdiction legislation. The Committee voted to approve and move the proposed legislation to the CPAC Commission for review. The workgroup should evaluate its work to date and make a recommendation regarding dissolution at the next meeting.

### b. Permanency Options

The Committee reviewed the Permanency Options information sheet and approved the use of the sheet with minor changes. The workgroup will continue to offer trainings statewide. The workgroup has several new tasks assigned to it by the APPLA Action Plan and should provide an action plan on those items to the Committee at the next meeting.

### c. APPLA

The Committee reviewed the APPLA workgroup proposed action plan. All of the action plan items have been assigned to an entity to work on the recommendations and provide feedback to the APPLA workgroup. The next APPLA workgroup meeting is planned for December. The workgroup should evaluate its work to date and make a recommendation regarding dissolution at the next meeting.

## VI. DUAL STATUS YOUTH STATISTICS

### a. APPLA

The number of youth with the plan of APPLA continue to decrease as the cases are reviewed. No new youth under 16 have had this plan assigned. OCA, DFS and the Court

# State of Delaware Child Protection Accountability Commission

## Permanency for Adolescents Committee

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continue to review data and court orders ensure accurate statistics.

b. Extended Jurisdiction

The Committee reviewed the extended jurisdiction statistics. There continue to be a consistent number of youth in Extended Jurisdiction and only a few entries quarterly. The Committee would like a review of the data completed and reported back to the Committee at the next meeting. CASA agreed to share its data in an effort to complete the review. A report will be provided at the next meeting.

c. Juvenile Justice and Expungements

The Committee reviewed the statistics for juvenile justice and expungements. The report indicated that about half of OCA clients aged 11 or older are involved with the juvenile justice system. This number has not changed since statistics began. OCA continues to monitor juvenile justice outcomes and apply for expungements as youth become eligible.

### **VII. 2016 MEETING DATES**

•January 29, 2016    •April 29, 2016    •July 29, 2016    •October 28, 2016

All meetings will take place from 10:00 a.m. – 12:00 p.m. in both Wilmington and Georgetown.

### **VIII. PUBLIC COMMENT AND ADJOURNMENT**

There being no public comment, the meeting was adjourned at 12:00.